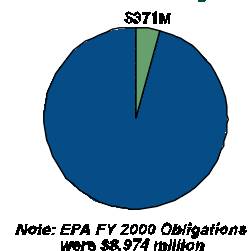


GOAL 9: A CREDIBLE DETERRENT TO POLLUTION AND GREATER COMPLIANCE WITH THE LAW

Goal 9 FY 2000 Obligations



EPA will ensure full compliance with laws intended to protect human health and the environment.

OVERVIEW

Protecting the public and the environment from risks posed by violations of environmental requirements is basic to EPA's mission. By using tools such as assistance designed to prevent violations, incentives to motivate compliance, and enforcement actions to correct violations and deter others, EPA obtains continuous improvement in compliance with standards, permits, and other requirements. As a result human health is protected, environmental risks are mitigated, and regulated facilities do a better job of environmental management.

In partnership with the states and federally recognized tribes, EPA's enforcement and compliance assurance program regulates approximately 8 million entities that range from community drinking water systems to pesticide users to major industrial facilities. Compliance data are maintained for approximately 1.7 million of these entities. These include municipal sewage treatment plants, large manufacturing and industrial operations, and hazardous waste treatment and storage facilities. The remaining 6.5 million entities range from small business facilities to individual property owners. The variety of regulatory requirements under the various environmental statutes and the large and diverse universe of regulated entities require that EPA use many different tools and strategies to maximize compliance.

EPA addresses compliance problems through a comprehensive, strategic compliance assurance approach. This approach includes a strong program of compliance monitoring, civil and criminal enforcement, compliance incentives and compliance assistance. The Agency's experience has shown that using these tools in a strategic, targeted way addresses noncompliance most effectively. A strong enforcement effort provides the foundation for the national compliance program, motivates regulated entities to seek assistance and use incentive policies, and provides fairness in the marketplace by ensuring that noncomplying facilities do not gain an unfair competitive advantage.

As a result of the delegation authority provided for by most statutes, state, tribal, and local governments bear much of the responsibility for ensuring the compliance of regulated facilities and other entities. Nationally, states conduct a large majority of all federally-related inspections and formal enforcement actions, and provide most of the data retained in EPA's enforcement and compliance data systems.

FY 2000 PERFORMANCE

FY 2000 was a successful year in achieving compliance. The national enforcement and compliance program met or exceeded 80 percent of its annual performance goals. As a result EPA made great strides toward meeting its mission of protecting human health and safeguarding the natural environment.

Enforcing the Law, Achieving Results

Enforcement actions brought by EPA against a noncomplying facility often result in a reduction in the amount of pollutants the facility discharges to the air, water, or land. EPA's FY 2000 enforcement actions required reduction or prevention of emissions or discharges of an estimated 714 million pounds¹ of pollutants and required the treatment of an additional 1.3 billion pounds of contaminated soils, sediments, or water. Concluded enforcement actions also require changes in facility practices that bring environmental improvements. In FY 2000 approximately 14 percent of concluded enforcement actions required improvements in the use or handling of pollutants, such as changes in industrial processes or storage and disposal practices to achieve emission and discharge reductions. Approximately another 61 percent required improvements in facility environmental management practices, including testing, training, labeling, and overall improvements to environmental management systems. In FY 2000 polluters were required to spend more than \$2.6² billion to correct violations, known as "injunctive relief," and take additional steps to protect the environment. Settlement of enforcement cases also produces supplemental environmental projects (SEPs) in which violators perform additional environmentally beneficial projects in exchange for a penalty reduction. In FY 2000 SEPs totaled \$66.8³ million, with Clean Air Act (CAA) settlements accounting for 60 percent of the total.

KEY ENFORCEMENT OUTCOMES

Enforcement cases concluded in FY 2000 produced the following results:

- 2 billion pounds of pollutants were reduced or treated.
- 75 percent of enforcement actions required various improvements in environmental management.
- Violators spent \$2.6 billion to return to compliance.
- Violators spent \$66.8 million on other environmentally beneficial projects as part of case settlements.

¹The level of pollutants reduced includes 334 million pounds from FY 2000 civil enforcement actions and 380 million pounds (190,000 tons of nitrogen oxide (NO_x) and sulfur dioxide (SO₂)) from the first year of the Tampa Electric Company (TECO) settlement.

²The money spent by polluters to correct violations includes \$1.6 billion from FY 2000 cases and \$1 billion from the TECO settlement.

³The money spent by polluters on SEPs includes \$55.8 million from FY 2000 enforcement cases and \$11 million from the TECO settlement.

The Agency uses compliance inspections, investigations and other assessments to determine the compliance status of regulated facilities. In FY 2000 EPA conducted 20,123 inspections and 660 intensive civil compliance investigations. These inspections and investigations resulted in the identification of a number of serious environmental violations, including, but not limited to, pollutant releases not allowed by permit, illegal storage of hazardous waste, and discharge of oil in harmful quantities. Where necessary EPA addresses noncompliance with an enforcement action appropriate to the violation. In FY 2000 EPA took a total of 5,791 civil judicial and administrative enforcement actions, the highest number taken in the past 10 years.

In FY 2000 EPA took many enforcement actions that addressed high risk violations of regulations designed to protect human health and the environment and that led to environmental improvements. A few examples follow:

- As the result of a settlement agreement between EPA and Willamette Industries, the release of approximately 27,000 tons of pollutants to the air will be prevented per year. The agreement covers 13 facilities in four states for violations of CAA provisions designed to ensure that air quality does not deteriorate in areas that have previously been deemed to have clean air. The company will pay the largest CAA civil penalty ever assessed for factory emissions of air pollution—\$11.2 million—which will be shared with EPA and the three states (Arkansas, Louisiana and South Carolina) joining EPA in the action.
- Koch Industries, a petroleum refining firm, agreed to pay a record fine of \$30 million to improve its leak-prevention programs and spend \$5 million on environmental projects for very serious violations of the Clean Water Act (CWA) stemming from oil spills in six states. Most of the spills were caused by the corrosion of pipelines in rural areas resulting in an estimated three million gallons of crude oil and other products leaking into ponds, lakes, rivers, streams, and shorelines.
- In November 1999 EPA filed lawsuits against seven of the nation's largest power generating companies. The filings resulted from one of the Agency's largest investigations targeted at reducing the emissions of nitrogen oxide (NO_x) and sulphur dioxide (SO₂) to the air and enforcing the requirements of the CAA. The lawsuits filed alleged that the seven companies' 32 coal-fired power plants had been upgraded without adding the needed air pollution controls and that the power plants illegally released massive amounts of air pollutants contributing to some of the most severe environmental problems facing the nation today. The first case settled after the November filings was with the Tampa Electric Company (TECO). Based on the settlement, emissions of NO_x and SO₂ will be reduced by a combined 190,000 tons annually. The TECO settlement will result in the company installing "best available control technology" at all ten coal-fired power plant units at a cost estimated to be approximately \$1 billion, along with additional injunctive relief of approximately \$10 million and a civil penalty of \$3.5 million.

EPA's criminal enforcement program addresses violations that are the result of deliberate or negligent actions. In FY 2000, 477 in-depth criminal investigations were targeted at the most serious and dangerous violators of environmental laws, resulting in 236 cases referred to the Department of Justice for criminal prosecution. Moreover, in criminal cases concluded in FY 2000, violators received 146 total years of jail time. One of the most serious criminal cases involved an Idaho man who received the heaviest federal environmental sentence ever given for knowingly exposing employees to cyanide—17 years for four federal violations. One employee in his twenties was left with permanent brain damage from exposure to deadly cyanide gas. In addition to jail time, the defendant was ordered to immediately pay the victim approximately \$6 million in restitution and pay EPA more than \$300,000 for cleanup costs.

In FY 2000 EPA put into place several outcome measures that allow the Agency to evaluate the compliance behavior of the regulated community. For example, to assess the Agency's effectiveness in deterring recurrence of significant noncompliance problems, EPA is now establishing a baseline for the percentage of significant violators with recurring significant violations within 2 years of returning to compliance. The percentage of facilities with recurring significant violations of the CAA is 20.9 percent; for the CWA 53.5 percent; and for the Resource Conservation and Recovery Act (RCRA) 18.1 percent. EPA is now also measuring the time taken by significant violators to return to compliance or begin implementing enforceable agreements: 1.16 years for CWA and 0.97 years for RCRA. (Final data are not yet available for the CAA.) EPA uses this information to determine how the regulated community responds to being found in significant noncompliance with the law. (Significant noncompliance is carefully defined for each media program based primarily on criteria of severity and duration.) A pilot project to establish statistically valid noncompliance rates for selected regulated populations was undertaken in FY 2000 and is continuing in FY 2001. This effort is verifying the compliance status of selected industries and providing a baseline for performance measurement in future years. EPA will build on these results to measure changes in behavior as a result of targeted enforcement and compliance assurance activities.

Increasing Compliance Through Incentives and Assistance

EPA promotes the compliance of the regulated community through a program of incentives and assistance. The Agency has two significant incentives policies that are designed to address different groups of the regulated community—the Audit/Self-Policing Policy and the Small Business Policy. These policies provide incentives for regulated facilities to detect,

disclose, and correct environmental violations and they produce excellent results. These results are reflected in the FY 2000 self-disclosures—430 companies reported violations at 2,200 facilities.

The Small Business Compliance Policy provides penalty waivers to small businesses that, following the policy's criteria, voluntarily discover, disclose, and correct a violation. FY 2000 modifications to the policy expanded the situations in which a business could use this tool to include any voluntarily discovered violations, not merely violations discovered as a result of on-site compliance assistance or audits. The updated policy also extends the disclosure period from ten to 21 days, allowing small businesses more time to consider the policy, resolve any questions, and prepare their disclosure letters.

EPA has developed a wide range of tools and services that improve understanding of regulatory requirements and provide compliance assistance. The Agency reached 455,581 entities in FY 2000 through various activities: on-site visits, hotlines, workshops, training, and distribution of compliance assistance tools. These tools included sector guides, fact sheets, and compliance checklists. EPA targets compliance assistance activities to regulated facilities, states, trade associations, compliance assistance providers, the public, universities, and nonprofit organizations. Recipients may access Agency information through different pathways, including the Internet.

In FY 2000 EPA continued to support the ten Internet-based Compliance Assistance Centers created to help small and medium-sized businesses, local governments, and federal facilities understand and comply with their regulatory obligations. In FY 2000 target audiences and the public visited the Centers more than 400,000 times, an increase of 56 percent from FY 1999. These visits included over one million requests for web pages and targeted compliance documents.

AUDIT INITIATIVE IMPROVES COMMUNITY RIGHT-TO-KNOW

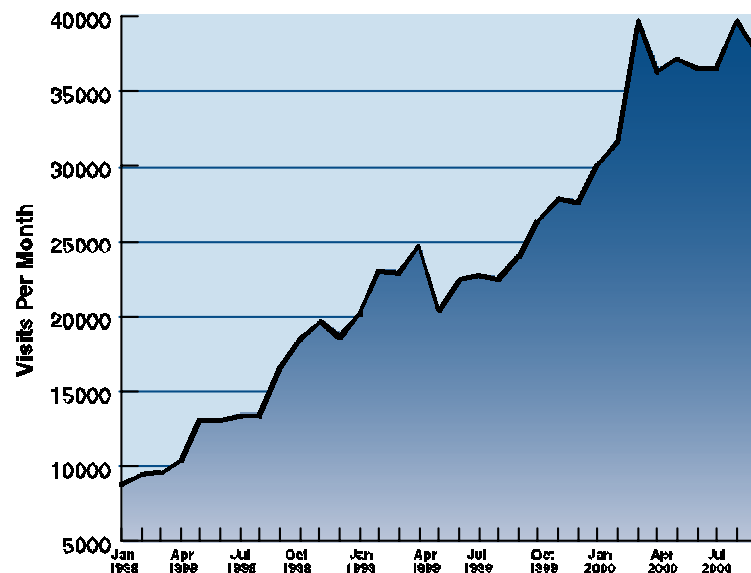
Since 1988 Toxics Release Inventory (TRI) provisions of the Emergency Planning and Community Right-To-Know Act (EPCRA) Section 313 has required the reporting of nitric acid treatment and "coincidental manufacture" of nitrates. EPA was concerned that nitrate discharges were not being reported by certain industries, even though the Agency disseminated instructions and guidance about nitrate reporting under TRI. Such discharges can adversely affect local water quality and drinking water sources.

EPA focused on six industry sectors in which under-reporting was suspected, first offering companies the opportunity to disclose and correct violations under the Audit Policy or the Small Business Policy. Sixty days later EPA sent letters to 600 companies that did not utilize the audit policies, offering the opportunity to provide the nitrate reports for a reduced penalty. EPA also offered the option of additional penalty reduction for those facilities that would conduct a facility audit for other EPCRA reporting violations.

More than 130 companies reported using the audit or small business policies, 350 companies agreed to report and pay a reduced penalty, and more than 1,000 facilities will report and audit for EPCRA compliance. Participants in the initiative have filed over 5,000 TRI reports totaling more than 50 million pounds of nitrate compounds as a result of this and other EPA initiatives. Communities will now have access to more information on the discharges of nitrates and other substances from local plants.

EPA regions conducted ten projects for which they measured outcomes of compliance assistance activities. The projects involved a combination of workshops, on-site assistance, and written assistance. EPA surveyed project participants and learned that on average, 77 percent of responding recipients indicated an increased understanding and awareness of regulations as a result of the assistance provided. Also, 64 percent of the responding recipients indicated that they had taken at least one action to comply with the environmental regulations as a result of the assistance received.

Growing Public Use of Compliance Assistance Center



EPA also provides support to regulatory partners through development of user-friendly guides, reference materials, assisted inspections, and training. To enhance the expertise of state and tribal inspectors, EPA conducted 713 assisted inspections. In addition the Agency conducted 154 training classes or seminars for states, localities, and tribes to improve their ability to identify and reduce noncompliance. EPA also provided 34 states with direct access to the user-friendly On-line Targeting and Information System, exceeding its target of 21 states. This system provides states with enhanced information about noncompliance patterns.

SUMMARY OF FY 2000 PERFORMANCE

EPA's FY 2000 performance in the enforcement and compliance program reflects strong progress in achieving the goal of a credible deterrent to pollution. The program relies on traditional measures coupled with new outcome-oriented measures to evaluate progress and document results. In FY 2000 the program achieved high levels of performance in inspections and enforcement actions, as well as record levels for delivering compliance assistance, promoting self-disclosures, and delivering compliance tools. These activities all contributed to EPA greatly exceeding the target for real environmental results: pounds of pollutants reduced. EPA also established several key baselines for the program from which to evaluate the future environmental results of actions taken. The enforcement and compliance program is maintaining a strong foundation and integrating innovative approaches to ensure full compliance with laws intended to protect human health and the environment.

STRENGTHENING PROGRAM INTEGRITY THROUGH IMPROVED MANAGEMENT

As a result of concerns about data quality and the age and usefulness of EPA enforcement and compliance data systems, the Agency initiated a process to modernize data systems that would result in the integration of enforcement and compliance information from various media. This effort has been carefully coordinated with EPA's broader effort to address data integration and modernization across the Agency.

A particular area of focus for EPA is the CWA Permit Compliance System (PCS). EPA has worked with the states to identify problems and define the revisions needed to PCS that are critical to effective National Pollutant Discharge Elimination System (NPDES) program management and oversight. In partnership with the states, EPA is reengineering PCS to better address current requirements of the NPDES permitting and enforcement programs and to meet the demands of new initiatives such as tracking reduced pollutant loadings, capturing information on storm water sources, and assessing the health of individual watersheds.

Please see Section III--*Management Accomplishments and Challenges*--for a further discussion of the above issues.

PROGRAM EVALUATION

In response to a request from Congress, in March 2000 the General Accounting Office (GAO) issued the report *Pesticides: Improvements Needed to Ensure the Safety of Farmworkers and their Children* (RCED-00-40) (<http://www.gao.gov>) on issues related to the safety of children who may be exposed to pesticides in agricultural settings. The report recommended (1) improving data on acute pesticide illnesses, (2) taking steps to protect children younger than 12 years old that work in agriculture or are otherwise present in pesticide-treated fields, (3) completing the documentation on the adequacy of EPA's Worker Protection Standard entry intervals for children 12 years old or younger that work in agriculture, and (4) strengthening EPA's oversight of the states' implementation and enforcement of the Standard. The Agency initiated a review of national, regional, and state enforcement of the Standard. Using a newly developed Standard protocol, EPA is currently engaged in regional and state reviews to assess whether changes are needed to the implementation and oversight of the Standard to protect the health of farmworkers and their children.

ASSESSMENT OF FY 2000 IMPACTS ON THE FY 2001 ANNUAL PERFORMANCE PLAN

Performance in FY 2000 largely met or exceeded expectations. In a few areas EPA has adjusted performance targets for FY 2001. For example, the target for the amount of pollutant reduction from concluded enforcement actions has been significantly increased, as has the number of inspections. Additionally in FY 2000, the Agency found it more difficult than anticipated to arrive at an accurate first-time count of results for several new measures. Examples are the percent of inspections and investigations (civil and criminal) conducted at

priority areas and the number of EPA-assisted inspections to build enforcement capacity for states and tribes. EPA is considering ways to improve the measurement of these activities.

The Agency is continuing to improve annual performance goals (APGs) and performance measures for Goal 9, reflecting more experience in measuring enforcement and compliance assurance activities. In FY 2000 the program successfully established baselines for the following: timelines for return to compliance by significant violators; percent of significant violators with recurrent significant violations; and statistically valid compliance rates on permit exceedances based on self-reported information from the regulated community. EPA is using this information for new performance measures for FY 2001.

In addition to these new outcome-oriented performance measures, the Agency has also added measures in FY 2001 for the number of concluded enforcement actions that result in improvements in facility management and information practices, as well as training to build enforcement capacity for tribal and state personnel. Also EPA refined its measures for voluntary self-disclosure and violation correction, and for the handling of hazardous waste import and export notices.

TABLES OF RESULTS

The following tables of results includes performance results for the five FY 2000 APGs that appear in Goal 9. In cases where the FY 2000 APG is associated with an FY 1999 APG, the table includes the FY 1999 APG below the FY 2000 APG for ease in comparing performance. Additionally EPA is providing information on FY 1999 APGs that are not associated with any APGs in FY 2000.

**FY 2000 Annual Report
Annual Performance Goals and Measures
Tables of Results**

Goal 9- A Credible Deterrent to Pollution and Greater Compliance with the Law

Summary of FY 2000 Performance

4 | Goal Met | 1 | Goal Not Met | 0 | Other

FY 2000 ANNUAL PERFORMANCE GOALS AND MEASURES		FY 2000		FY 1999
		Planned	Actual	Actual
IDENTIFY AND REDUCE SIGNIFICANT NON-COMPLIANCE IN HIGH PRIORITY PROGRAM AREAS, WHILE MAINTAINING A STRONG ENFORCEMENT PRESENCE IN ALL REGULATORY PROGRAM AREAS.				
FY 2000 APG 64:	Deter and reduce noncompliance and achieve environmental and human health improvements by maintaining a strong, timely and active enforcement presence. EPA will direct enforcement actions to maximize compliance and address environmental and human health problems; 75% of concluded enforcement actions will require environmental or human health improvements such as pollution reduction, etc.			
(FY 1999)	<i>Deter noncompliance by maintaining levels of field presence and enforcement actions, particularly in high risk areas and/or where populations are disproportionately exposed. In 1999, EPA will conduct 15,000 inspections and undertake 2,600 enforcement actions.</i>			21,410 3,935
Performance Measures				
- Estimated pounds of pollutants reduced (aggregate)		300 M	714 M	
- Percent of actions which require pollutant reductions		35	13.6	
- Establish statistically valid noncompliance rates or other indicators for selected environmental problems		5	5	
- Establish a baseline to measure percentage of significant violators with reoccurring significant violations within two years of returning to compliance		1	1	
- Establish a baseline to measure average length of time for significant violators to return to compliance or enter enforceable plans/agreements		1	1	
- Produce report on the number of civil and criminal enforcement actions initiated and concluded		1	1	
Explanation:	Goal met with 75% of concluded enforcement actions requiring environmental and human health improvements. Approximately 14 percent of concluded enforcement actions required improvements in the use or handling of pollutants, such as changes in industrial processes or storage and disposal practices to achieve emission and discharge reductions. Approximately another 61 percent required improvements in facility environmental management practices, including, testing, training,, labeling, and overall improvements to environmental management systems. In managing for environmental results, EPA significantly exceeded the target of pounds of pollutants reduced and treated as a result of enforcement actions. This large increase over the target was due to the settlement of the Tampa Electric Company (TECO) case. In setting the FY 2000 target, resolution of the TECO case was not anticipated. In addition, EPA required treatment of 1.3 billion pounds of contaminated soils, sediments and water. The Agency will report several new performance measures in FY 2001 on the outcomes resulting from concluded enforcement actions. The percentage of overall actions that required pollutant reductions fell below the target. This is partly because, in fulfilling a new regulatory requirement, drinking water utilities were required to provide consumer confidence reports (CCR) on the quality of their drinking water. Until most states assume delegation for this program in FY 2001, EPA had made this an enforcement priority. (In FY 1999 there were 313 settlements; this grew to 2,134 settlements in FY 2000.) As these enforcement actions result in CCR publication rather than direct pollutant reduction, the percentage of actions that required pollutant reductions fell below the target. EPA is considering revising downward the target for this measure in FY 2001.			
(Continued on next page)				

FY 2000 ANNUAL PERFORMANCE GOALS AND MEASURES		FY 2000		FY 1999
		Planned	Actual	Actual
<p>Data Source: Regional offices calculate the results of enforcement actions and enter the information in the DOCKET system. DOCKET tracks EPA civil, judicial and administrative enforcement actions. The Permit Compliance System (PCS) tracks permit and enforcement actions on effluent discharges. The Air Facility Sources System (AFS) captures emission compliance and permit data for major stationary sources and air pollution. The Resource Conservation and Recovery Information System (RCRAInfo) is a national database that supports the Resource Conservation and Recovery Act (RCRA) program and contains information on entities that are engaged in hazardous waste generation and management activities regulated under the hazardous waste part of RCRA.</p> <p>Data Quality: EPA manages 14 national data systems containing enforcement and compliance data. The Agency has concerns about the quality and completeness of data, ability of existing systems to meet data needs, and incompatible database structures/designs. EPA has begun to address data quality, is committed to data integration and modernization efforts, and believes promoting greater public access to data will result in improved data quality. As part of an agreement between the headquarters and regional offices, the Agency is placing greater emphasis on strengthening the quality of these data.</p> <p>In FY 2000 the Agency continued to modernize its data systems and completed the concept and requirements phase for the new Integrated Compliance Information System (ICIS). ICIS will be an integrated enforcement and compliance data management system that will support core information needs. ICIS will track facility inspections, violations and enforcement actions, as well as address more complex needs for compliance assistance tracking, multimedia planning, targeting and evaluations. As EPA migrates data into ICIS, the data will undergo quality control.</p>				
<p>FY 2000 APG 65: Ensure compliance with legal requirements by assuring that hazardous waste exports from the U.S. are properly handled. Implement U.S. international commitments, and gain enforcement and compliance cooperation with other countries, especially along U.S. borders (Mexico/Canada).</p> <p>Performance Measures - Ensure compliance with legal requirements by assuring that hazardous waste exports from the United States are properly handled (Number of import and export notices filed and reviewed)</p> <p>Explanation: Goal met. EPA met the goal of ensuring compliance with legal requirements for hazardous waste exports by reviewing and responding to all submitted waste import/export notifications. EPA is revising this annual goal and performance measure in FY 2001 to reflect better the EPA review and response to the notices for transboundary movement of hazardous wastes.</p> <p>Data Source: The Hazardous Waste Export System maintains manual reports submitted by United States exporters. The Waste Import Tracking System maintains manual reports submitted by foreign governments.</p> <p>Data Quality: Hazardous waste import/export notifications are self-reported and, thus, are subject to bias. EPA works with the U.S. Customs Service to ensure the quality of data and compliance by exporters/importers with legal requirements.</p>		1,500	1,584	No FY 1999 APG

FY 2000 ANNUAL PERFORMANCE GOALS AND MEASURES		FY 2000		FY 1999
		Planned	Actual	Actual
FY 2000 APG 66: <i>(FY 1999)</i>	EPA will conduct 13,500 inspections, 500 criminal investigations, and 150 civil investigations, 50% of which are targeted at priority areas. <i>Deter noncompliance by maintaining levels of field presence and enforcement actions, particularly in high risk areas and/or where populations are disproportionately exposed. In 1999, EPA will conduct 15,000 inspections and undertake 2,600 enforcement actions.</i>			21,410 3,935
	Performance Measures - Number of EPA inspections - Number of civil investigations - Number of criminal investigations - Percent of inspections and investigations (civil and criminal) conducted at priority areas	13,500 150 500 50	20,123 660 477 15	
	Explanation: Goal not met. Actual inspections surpassed targets and this target increases for FY 2001. The Agency exceeded the target for civil investigations because of investigations in the new media enforcement areas of the Oil Pollution Act and the Emergency Planning and Community Right to Know Act. EPA fell short of the target for criminal investigations due to an Agency hiring freeze. EPA is revising downward the target for this measure in FY 2001. For the major media programs, the percentages of inspections in high priority areas were: Clean Air Act–38%; Clean Water Act–34%; and RCRA–35%. The annual goal and measure for the percentage of inspections and investigations conducted at priority areas proved difficult to define and calculate, and is not a measure in FY 2001.			
	Data Source: The Integrated Data for Enforcement Analysis (IDEA) System integrates data from major enforcement and compliance systems (e.g., PCS, AFS, RCRAInfo), including data from states. Data Quality: See APG 64, first paragraph.			
FY 2000 APG 67: <i>(FY 1999)</i>	Improve capacity of states, localities and tribes to conduct enforcement and compliance assurance programs. EPA will provide grants, guidance documents, training, classes and seminars, and assist with selected inspections. <i>Assist states and tribes with their enforcement and compliance assurance and incentive programs. EPA will provide specialized assistance and training, including 83 courses, to state and tribal officials to enhance the effectiveness of their programs.</i>			218
	Performance Measures - Number of EPA-assisted inspections to build capacity - Number of EPA training classes/seminars delivered to states/localities and tribes to build capacity	100 200	713 154	
	Explanation: Goal met. EPA significantly exceeded its target of conducting EPA-assisted inspections to improve capacity of states, localities and tribes. State/tribal partners often request that EPA accompany them when they undertake enforcement and compliance assurance site visits. EPA exceeded the target for this first-time measure due to difficulty in defining EPA-assisted inspections. As a result EPA is considering increasing the target for this measure in FY 2001. EPA missed its target for delivering training classes/seminars to state/localities and tribes due to budget constraints but reached the comparable number of students in FY 2000 as in FY 1999 through distribution of computer-based and video-based training products. EPA is adding new measures in FY 2001 including the number of tribal personnel trained and the number of computer-based training modules developed.			
	Data Source: Manual system. Reports on EPA-assisted inspections are completed by regional staff and tracked by headquarters. Manual reports also provide information to National Enforcement Training Institute's (NETI) course information management systems and the NETI registrar. Data Quality: Data are manually verified.			

FY 2000 ANNUAL PERFORMANCE GOALS AND MEASURES		FY 2000		FY 1999
		Planned	Actual	Actual
PROMOTE THE REGULATED COMMUNITIES' VOLUNTARY COMPLIANCE WITH ENVIRONMENTAL REQUIREMENTS THROUGH COMPLIANCE INCENTIVES AND ASSISTANCE PROGRAMS.				
FY 2000 APG: 68:	Increase entities self-policing and self-correction of environmental problems through use of EPA incentive policies: small business, small community and audit policies over FY 1997 levels.			No FY 1999 APG
Performance Measure - Number of facilities that self-disclose potential violations		346	2,200	
Explanation:	Goal met. EPA exceeded its goal of increasing entities' self-policing and self-correction of environmental problems because of unexpected increases in the number of facilities using the policies. Increased publicity about the modified policies and Agency initiatives--especially those involving companies with multiple facilities nationwide--and the cooperation of these companies, contributed to the successful outcome. EPA revised this measure for FY 2001 to reflect the completion of settlements with facilities to voluntarily self-disclose and correct violations. However, EPA does not expect the large one-time increase in number of self-disclosures in FY 2000 to stay at that same high level in FY 2001. EPA will expand efforts to specifically encourage disclosure from companies suspected of having serious violations, which, as a class, occur less frequently and require more complex analysis to address.			
Data Source:	The DOCKET System tracks EPA civil, judicial and administrative enforcement actions.			
Data Quality:	This is the first year of relying on the DOCKET system for the data. EPA is in the process of assessing data quality and identifying any necessary changes.			

FY 1999 ANNUAL PERFORMANCE GOALS

(No Longer Reported for FY 2000)

- Target high priority areas for enforcement and compliance assistance and complete baseline data assessment in major databases needed to measure quality of key indicators of compliance. The Agency will identify five high priority areas and improve two data systems.
- Increase regulated community's use of compliance incentives and their understanding of, and ability to comply with, regulatory requirements. The Agency will continue to operate nine small business compliance assistance centers and will complete sector notebooks, guides, and other outreach materials begun in FY 1998.